

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

April 12, 2006 LR 449

the loser in a Regent's race and the winner must file that final campaign statement, and since the winner and the loser must file it, it has nothing to do with the office. Oh, but it does, because a specific duty is placed on whoever is running for that office, win or lose, so that makes it clear that this responsibility is attached to the office itself. If the duty is to file, whether you win or lose, the duty is attached to the office itself. And there is an additional duty on the winner. That duty is to file a truthful report. Everybody acknowledges that Mr. Hergert knowingly filed a false report. Knowingly.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: It would be a terrible thing if this Legislature would say that an elected official has no duty to tell the truth, has no duty to obey the law, that if he or she commits felonious conduct, the Legislature will look the other way and say nothing should be done. This ought to be handled by the Legislature by our doing the only thing the constitution made available to us, the only thing that can be done to remove an unfit civil or constitutional officer from office; that is, to impeach. We should vote to say that this matter will be turned over to the Nebraska Supreme Court where a trial will be held in conformance with the rules that govern judicial proceedings. It won't be like a debate on the floor of the Legislature. It will be a judicial proceeding. I'll ask for a call of the house, Mr. President.

SENATOR CUDABACK: There's been a request for a call of the house. All in favor of the house going under call vote aye; opposed, nay. Please record, Mr. Clerk.

CLERK: 39 ayes, 0 nays, Mr. President, to place the house under call.

SENATOR CUDABACK: The motion was successful. The house is under call. All unauthorized personnel please leave the floor. Unexcused senators, report to the Chamber. The house is under call. Senator Beutler would you please check in? Thank you. All members are present or accounted for. Senator Bourne.